

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendant George Ernest Riddle's Motion to Continue Trial Date and Plea Deadline [Doc. 26], filed on March 11, 2024.

Defendant George Riddle asks the Court to continue the plea agreement deadline and trial date for forty-five to sixty days [Doc. 26]. In support of his motion, Defendant states that additional time is needed for defense counsel to discuss discovery and factual issues with him and to confer with the Government regarding a potential resolution of the case [*Id.* at 1]. Defendant's motion reflects that he understands that the period of time between the filing of the motion and a rescheduled trial date would be fully excludable for speedy trial purposes and that counsel for the Government does not oppose the requested continuance [*Id.* at 1–2].

On March 12, 2024, the Court ordered the remaining parties to file a position on Defendant George Riddle's motion to continue [Doc. 29]. Defendant Jared Riddle filed a Notice of No Objection [Doc. 30] on March 12, 2024, and requested that any relief granted to Defendant George Riddle extend to all defendants.

Based upon the information in Defendant's motion and because the Government and Codefendant Jared Riddle do not oppose the continuance, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, the Court concludes that failing to grant a continuance would both result in a miscarriage of justice and deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Counsel for Defendant George Riddle needs more time to review discovery with Defendant, engage in plea negotiations, discuss any offers with Defendant, and prepare for trial in the event plea negotiations are not fruitful. The Court finds that all of this cannot occur before the April 9, 2024 trial date.

The Court therefore **GRANTS** Defendant George Ernest Riddle's Motion to Continue Trial Date and Plea Deadline [**Doc. 26**]. The trial of this case is reset to **June 11, 2024**. A new, comprehensive trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial, all of the time between the filing of the motions on March 11, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

Accordingly, it is **ORDERED** as follows:

- (1) Defendant George Ernest Riddle's Motion to Continue Trial Date and Plea Deadline [**Doc. 26**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **June 11, 2024, at 9:00 a.m.**, before the Honorable Katherine A Crytzer, United States District Judge;

- (3) all time between the filing of the motions on **March 11, 2024**, and the new trial date of **June 11, 2024**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **May 10, 2024**;
- (5) the deadline for filing motions *in limine* is **May 24, 2024**;
- (6) the parties are to appear before the undersigned for a final pretrial conference on **May 28, 2024, at 10:30 a.m.**; and
- (7) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **May 31, 2024**.

IT IS SO ORDERED.

ENTER:



Jill E. McCook
United States Magistrate Judge